(1) CF-152 (3)

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

MISC. APPEAL NO. 1189 /2003

APPELLANT (Claimant): Santu Kumar, S/o. Parsuram, Caste-Mahar, aged about 21 years, R/o. Sikala Bhata, Durg (C.G.)

VERSUS

RESPONDENTS NON-APPLICANTS:

1. Rupendra Singh, S/o. Daya Singh, Punjabi, R/o. Shastri Nagar, Camp-1, Bhilai (Driver)
2. Sant Ram, S/o. Ghana Ram Satnami, aged about 36 years, R/o. Gram Nandani, Thana-Bhilai-3 (Owner)
3. The ~~Oriental~~ NATIONAL Insurance Company Limited, through its Divisional Manager, Akshya ganga Supela, Bhilai (Insurer).

P.R. No. 2830/03
Presented by Shri P.R. Patankar
dated 12.12.03

Corrected as per C.O dated 22/12/04
24/12/04

APPLICATION UNDER SECTION 173 OF THE MOTOR VEHICLE ACT 1988.

HIGH COURT OF CHHATTISGARH : BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL NO. 1189 of 2003

(31)

Appellant : Santu Kumar

Versus

Respondents: Rupendra Sigh & others

(Arising out of Claim Case No. 42 of 2002

03/02/2007

Ms Sunita Jain, counsel for the appellant.

None for respondent No. 1 & 2.

Shri S Das, Dy. Manager, the National Insurance Company Limited with Shri Raj Awasthi, counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.21,000/- (Rupees twenty-one thousand only) to the appellant.
2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs. 210/- (Rupees two hundred ten only) shall be paid to counsel for the appellant directly by the Insurance Company towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
V.K. Shrivastava
Judge

Sd/- 3.2.07
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

padma